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14023 U.S. PTO

**UTILITY PATENT APPLICATION TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 4860.P2667D02

(maximum 12 characters)

First Named Inventor Michael D. HillmanTitle: COMPUTER CONTROLLED DISPLAY DEVICEExpress Mail Label No. EV 339 921 326 US

ADDRESS TO:      Mail Stop Patent Application  
                         Commissioner for Patents  
                         P.O. Box 1450  
                         Alexandria, Virginia 22313-1450

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.      X        **Fee Transmittal Form (e.g., PTO/SB/17)**  
                    (Submit an original and a duplicate for fee processing)
2.                **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3.      X        **Specification    (Total Pages 149 – including title page )**  
                    (preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference sequence listing, a table,  
                    or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.      X        **Drawings(s) (35 USC 113)    (Total Sheets 102 )**
5.      X        **Oath or Declaration    (Total Pages 5 )**
  - a.                Newly Executed (Original or Copy)
  - b.                Copy from a Prior Application (37 CFR 1.63(d))  
                    (for Continuation/Divisional with Box 18 completed)
    - i.                DELETIONS OF INVENTOR(S) Signed statement attached deleting  
                    inventor(s) named in the prior application, see 37 CFR 1.63(d)(2)  
                    and 1.33(b).
  - c.      X        Unsigned.
6.                **Application Data Sheet. (37 CFR 1.76)**
7.                CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8.                Nucleotide and/or Amino Acid Sequence Submission  
                    (if applicable, all necessary)
  - a.                Computer Readable Form (CRF)
  - b.                Specification Sequence Listing on:
    - i.                CD-ROM or CD-R (2 copies); or
    - ii.               paper
  - c.                Statements verifying identity of above copies

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# **ACCOMPANYING APPLICATION PARTS**

9.        **Assignment Papers (cover sheet & documents(s))**
10.        a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
- b. Power of Attorney
11.        English Translation Document (if applicable)
12.        a. Information Disclosure Statement (IDS)/PTO-1449 (or PTO/SB/08)
- b. Copies of IDS Citations
13.        **Preliminary Amendment**
14.   X   **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
15.        Certified Copy of Priority Document(s) (if foreign priority is claimed)
16.   X   **Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**
- 17A.        Claim for Foreign Priority
- 17B.   X   Other: Certificate of Express Mail with copy of itemized postcard.

17C.   X   Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title (e.g., by way of preliminary amendment), or in an Application Data Sheet Under 37 C.F.R. 1.76:

       Continuation        Divisional   X   Continuation-in-part (CIP)  
 Of Prior Application No.: 10/035,417 Examiner Anthony Q. Edwards Group Art Unit 2835  
 (which is a        continuation/        divisional/        CIP of prior application no.                     ;  
 which is a        continuation/        divisional/        CIP of prior application no.                     ) (List entire chain of priority)

**Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.**  
**For CONTINUATION AND DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. Correspondence Address  
  X   Customer Number or Bar Code Label 008791  
       or (Insert Customer No. or Attach Bar Code Label here)  
  X   Correspondence Address Below  
 NAME James C. Scheller  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
 ADDRESS 12400 Wilshire Boulevard  
Seventh Floor  
 CITY Los Angeles STATE California ZIP CODE 90025  
 Country U.S.A. TELEPHONE (408) 720-8300 FAX (408) 720-8383

Name (PRINT/TYPE): Suk S. Lee Registration No.: 47,745  
 Signature:  Date: December 19, 2003

**NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor Michael D. Hillman  
Title COMPUTER CONTROLLED DISPLAY DEVICE

Attorney Docket No. 4860P2667D02  
Express Mail No.: EV 339 921 326 US

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

**I hereby request that the attached application not be published under 35 U.S.C. 122(b).**

December 19, 2003  
Date

(408) 720-8300  
Telephone Number

  
Signature

Suk S. Lee  
Typed or Printed Name

47,745  
Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**



**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
1051	130	2051	65	Surcharge - late filing fee or oath	_____
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	_____
1053	130	1053	130	Non-English specification	_____
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	_____
1813	8,800	1813	8,800	Request for inter parties reexamination	_____
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	_____
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	_____
1251	110	2251	55	Extension for reply within first month	_____
1252	420	2252	210	Extension for reply within second month	_____
1253	950	2253	475	Extension for reply within third month	_____
1254	1,480	2254	740	Extension for reply within fourth month	_____
1255	2,010	2255	1,005	Extension for reply within fifth month	_____
1401	330	2401	165	Notice of Appeal	_____
1402	330	2402	165	Filing a brief in support of an appeal	_____
1403	290	2403	145	Request for oral hearing	_____
1451	1,510	1451	1,510	Petition to institute a public use proceeding	_____
1452	110	2452	55	Petition to revive - unavoidable	_____
1453	1,330	2453	665	Petition to revive - unintentional	_____
1501	1,330	2501	665	Utility issue fee (or reissue)	_____
1502	480	2502	240	Design issue fee	_____
1503	640	2503	320	Plant issue fee	_____
1460	130	1460	130	Petitions to the Commissioner	_____
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	_____
1806	180	1806	180	Submission of Information Disclosure Stmt	_____
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	_____
1809	770	2809	385	For filing a submission after final rejection (see 37 CFR 1.129(a))	_____
1814	110	2814	55	Statutory Disclaimer	_____
1810	770	2810	385	For each additional invention to be examined (see 37 CFR 1.129(b))	_____
1801	770	2801	385	Request for Continued Examination (RCE)	_____
1802	900	1802	900	Request for expedited examination of a design application	_____
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	_____
1505	300	1505	300	Publication fee for republication	_____
1803	130	1803	130	Request for voluntary publication or republication	_____
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	_____
1454	1,330	1454	1,330	Acceptance of unintentionally delayed claim for priority	_____
Other fee (specify) _____					_____
Other fee (specify) _____					_____
<b>SUBTOTAL (3) \$</b>					<b>.00</b>

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Suk S. LeeSignature:  Date: December 19, 2003Reg. Number: 47,745 Telephone Number: (408) 720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Serial/Patent No.: Not yet assigned Filing/Issue Date: Herewith (12/19/03)  
Client: Apple Computer, Inc.  
Title: Computer Controlled Display Device

BSTZ File No.: 004860.P2667D02 (X1) Atty/Secty Initials: ICS/SSL/den  
Date Mailed: December 19, 2003 Docket Due Date: \*\*\*

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Amendment/Response (____ pgs.)  | <input checked="" type="checkbox"/> Express Mail No. <u>EV339921326US</u>                      | <input checked="" type="checkbox"/> Check No. <u>61838</u> |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate)                                | <input type="checkbox"/> _____ Month(s) Extension of Time                                      | Amt: <u>\$1274.00</u>                                      |
| <input type="checkbox"/> Application - Utility (____ pgs., with cover and abstract)              | <input type="checkbox"/> Information Disclosure Statement & PTO-1449 (____ pgs.)               | <input type="checkbox"/> Check No. _____                   |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.)                     | <input type="checkbox"/> Issue Fee Transmittal   | Amt: _____   |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.)                       | <input type="checkbox"/> Notice of Appeal  |  |
| <input checked="" type="checkbox"/> Application - Rule 1.53(b) CIP ( <u>149</u> pgs.)            | <input type="checkbox"/> Petition for Extension of Time  |  |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.)                  | <input type="checkbox"/> Petition for _____  |  |
| <input type="checkbox"/> Application - Design (____ pgs.)  | <input checked="" type="checkbox"/> Postcard   |  |
| <input type="checkbox"/> Application - PCT (____ pgs.)   | <input type="checkbox"/> Power of Attorney (____ pgs.)   |  |
| <input type="checkbox"/> Application - Provisional (____ pgs.)                                   | <input type="checkbox"/> Preliminary Amendment (____ pgs.)                                     |  |
| <input type="checkbox"/> Assignment and Cover Sheet  | <input type="checkbox"/> Reply Brief (____ pgs.)   |  |
| <input checked="" type="checkbox"/> Certificate of Mailing - <u>Express w/PC</u>                 | <input type="checkbox"/> Response to Notice of Missing Parts                                   |  |
| <input checked="" type="checkbox"/> Declaration & POA ( <u>5</u> pgs.) <u>Unsigned</u>           | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business           |  |
| <input type="checkbox"/> Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____ pgs.)   | <input checked="" type="checkbox"/> Transmittal Letter. <del>in duplicate</del> <u>Utility</u> |  |
| <input checked="" type="checkbox"/> Drawings: <u>102</u> # of sheets includes <u>156</u> figures | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate                              |  |

☒ Other: Nonpublication Request Under 35 USC 122(b)(2)(B)(i)

Apple Docket: P2667USX1

### Certificate of Express Mail

"Express Mail" mailing label number: EV 339 921 326 US

Date of Deposit: December 19, 2003

I hereby certify that I am causing this paper or fee, and the documents indicated on the postcard above, to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to: MS: Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Dianne Neathery

(Typed or printed name of person mailing paper or fee)

Dianne Neathery  
(Signature of person mailing paper or fee)

12/19/03  
(Date)

Attorney Docket: 4860P2667D02